

No. 21-50048, 21-50084

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UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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UNITED STATES OF AMERICA,  
Plaintiff-Appellee,

v.

IMAAD SHAH ZUBERI,  
Defendant-Appellant.

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GOVERNMENT'S MOTION FOR EXTENSION OF TIME TO FILE BRIEF

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Plaintiff-Appellee United States of America hereby moves this Court for an extension of the time within which the government must file its brief on appeal in the above-captioned consolidated appeals. The government's brief on appeal is currently due on June 28, 2023. The government requests an extension of 7 days, until July 5, 2023.

This motion is made pursuant to Federal Rules of Appellate Procedure 26(b) and 27 and Ninth Circuit Rule 31-2.2(b) and is based on the files and records in this case and the attached declaration of Virginia M. Vander Jagt.

The defendant is currently incarcerated.

Respectfully submitted,

/s/ Virginia M. Vander Jagt  
VIRGINIA M. VANDER JAGT  
Attorney, Appellate Unit  
National Security Division  
U.S. Department of Justice  
950 Pennsylvania Ave. NW Ste. 6500  
Washington, DC 20530  
Tel. (202) 616-0741  
Virginia.Vanderjagt@usdoj.gov

## DECLARATION OF VIRGINIA M. VANDER JAGT

I, Virginia M. Vander Jagt, hereby declare and state as follows:

1. I am an attorney in the National Security Division of the U.S.

Department of Justice. I am responsible for preparing the government's brief in the following consolidated cases: *United States v. Imaad Shah Zuberi*, C.A. Nos. 21-50048, 21-50084.

2. I sought an initial extension of 90 days on February 13, 2023, from the day when appellant completed briefing. The Court on March 30, 2023, granted the government an extension of 79 days beyond the 30-day deadline.

3. Although I have exercised diligence with respect to this appeal and will continue to do so, additional issues related to sealed documents have arisen and I anticipate that I will need an additional 7 days to complete the government's brief and supplemental excerpts of record.

a. The defendant pleaded guilty in two different districts. He pleaded guilty pursuant to a plea agreement in the Central District of California on November 22, 2019, to violations of the Foreign Agents Registration Act (FARA), 22 U.S.C. 612 and 618(a)(2); tax evasion, in violation of 26 U.S.C. 7201; and violations of the Federal Election Campaign Act (FECA), 52 U.S.C. 30116, 30118, 30121, 30122, 30109(d)(1). 2-ER-313. Zuberi then signed a plea agreement pleading guilty to one count of obstruction of justice, in violation of 18 U.S.C.

1512(c)(1)-(2), in the Southern District of New York on March 5, 2020. 2-ER-239-255. The district court in the Central District of California granted a joint oral motion to consolidate the two cases and accepted the defendant's second guilty plea. 2-ER 206-235.

The parties filed numerous sealed motions between December 2019 and August 2022.

The district court sentenced the defendant on February 18, 2021, to a total of 144 months of imprisonment: 60 months on the FARA violations, 60 months on the tax evasion charge, 60 months on the campaign finance violation, each to run concurrently; 84 months on the obstruction count, to be served consecutively; and a term of supervised release of three years. The court also imposed an order of restitution of \$15,705,080.11, and a fine of \$1,750,000. 1-ER-3-11.

b. The defendant has appealed. This Court granted multiple motions to extend the filing date of the defendant's opening brief from June 3, 2021, to March 11, 2023. The defendant has filed an unclassified and a sealed brief.

c. Due to the press of litigation in the United States Attorney's Office for Central District of California, primary responsibility for preparing the government's brief was transferred from attorneys in that office to undersigned counsel, who was not previously familiar with the case. The undersigned has needed time to familiarize herself with the record and to obtain the sealed

documents. In addition, the undersigned is also currently responsible for drafting regulations on another matter and other assigned duties in connection with her position in the National Security Division.

The undersigned is also coordinating between attorneys in the National Security Division and in additional offices.

d. Counsel for the defendant has consented to an extension motion by email on June 21, 2023.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Virginia M. Vander Jagt  
Virginia M. Vander Jagt  
National Security Division  
U.S. Department of Justice

Dated: June 21, 2023